

# P.L. 109-171

## Deficit Reduction Act of 2005 (Enrolled as Agreed to or Passed by Both House and Senate)

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### SEC. 6036. IMPROVED ENFORCEMENT OF DOCUMENTATION REQUIREMENTS.

(a) In General- Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended--

(1) in subsection (i), as amended by section 104 of Public Law 109-91--

(A) by striking `or' at the end of paragraph (20);

(B) by striking the period at the end of paragraph (21) and inserting `; or'; and

(C) by inserting after paragraph (21) the following new paragraph:

`(22) with respect to amounts expended for medical assistance for an individual who declares under section 1137(d)(1)(A) to be a citizen or national of the United States for purposes of establishing eligibility for benefits under this title, unless the requirement of subsection (x) is met.'; and

(2) by adding at the end the following new subsection:

`(x)(1) For purposes of subsection (i)(23), the requirement of this subsection is, with respect to an individual declaring to be a citizen or national of the United States, that, subject to paragraph (2), there is presented satisfactory documentary evidence of citizenship or nationality (as defined in paragraph (3)) of the individual.

`(2) The requirement of paragraph (1) shall not apply to an alien who is eligible for medical assistance under this title--

`(A) and is entitled to or enrolled for benefits under any part of title XVIII;

`(B) on the basis of receiving supplemental security income benefits under title XVI; or

`(C) on such other basis as the Secretary may specify under which satisfactory documentary evidence of citizenship or nationality had been previously presented.

`(3)(A) For purposes of this subsection, the term `satisfactory documentary evidence of citizenship or nationality' means--

`(i) any document described in subparagraph (B); or

`(ii) a document described in subparagraph (C) and a document described in subparagraph (D).

`(B) The following are documents described in this subparagraph:

`(i) A United States passport.

`(ii) Form N-550 or N-570 (Certificate of Naturalization).

- ˘ (iii) Form N-560 or N-561 (Certificate of United States Citizenship).
  - ˘ (iv) A valid State-issued driver's license or other identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act, but only if the State issuing the license or such document requires proof of United States citizenship before issuance of such license or document or obtains a social security number from the applicant and verifies before certification that such number is valid and assigned to the applicant who is a citizen.
  - ˘ (v) Such other document as the Secretary may specify, by regulation, that provides proof of United States citizenship or nationality and that provides a reliable means of documentation of personal identity.
- ˘ (C) The following are documents described in this subparagraph:
  - ˘ (i) A certificate of birth in the United States.
  - ˘ (ii) Form FS-545 or Form DS-1350 (Certification of Birth Abroad).
  - ˘ (iii) Form I-97 (United States Citizen Identification Card).
  - ˘ (iv) Form FS-240 (Report of Birth Abroad of a Citizen of the United States).
  - ˘ (v) Such other document (not described in subparagraph (B)(iv)) as the Secretary may specify that provides proof of United States citizenship or nationality.
- ˘ (D) The following are documents described in this subparagraph:
  - ˘ (i) Any identity document described in section 274A(b)(1)(D) of the Immigration and Nationality Act.
  - ˘ (ii) Any other documentation of personal identity of such other type as the Secretary finds, by regulation, provides a reliable means of identification.
- ˘ (E) A reference in this paragraph to a form includes a reference to any successor form.'
- (b) Effective Date- The amendments made by subsection (a) shall apply to determinations of initial eligibility for medical assistance made on or after July 1, 2006, and to redeterminations of eligibility made on or after such date in the case of individuals for whom the requirement of section 1903(z) of the Social Security Act, as added by such amendments, was not previously met.
- (c) IMPLEMENTATION REQUIREMENT- As soon as practicable after the date of enactment of this Act, the Secretary of Health and Human Services shall establish an outreach program that is designed to educate individuals who are likely to be affected by the requirements of subsections (i)(23) and (x) of section 1903 of the Social Security Act (as added by subsection (a)) about such requirements and how they may be satisfied.